

Report Date: May 10, 2016

**United States District Court**

for the

**Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
  
MAY 10 2016  
SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

Name of Offender: Mario Garcia

Case Number: 0980 2:06CR00096-LRS-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: September 13, 2007

Original Offense: Distribution of 5 Grams or More of a Mixture or Substance Containing Cocaine Base,  
in the Form of Crack Cocaine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 108 months; Type of Supervision: Supervised Release  
TSR - 60 months

Revocation Sentence: Prison - 7 months;  
TSR - 53 months

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: May 20, 2015

Defense Attorney: John Stephen Roberts, Jr.

Date Supervision Expires: October 19, 2019

---

**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

1	<b><u>Mandatory Condition # 4:</u></b> The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.
---	--

**Supporting Evidence:** On May 2, 2016, Mr. Mario Garcia reported to U.S. Probation as directed. During the session, Mr. Garcia admitted to using both marijuana and heroin on or about April 27, 2016. He signed a drug use admission form in which he documented the use. Mr. Garcia indicated that he only used because of the continued pain associated with his ankle.

On May 9, 2016, Mr. Garcia again reported to U.S. Probation as required. When questioned on illicit drug use, he admitted to again using marijuana on or about Friday May 6, 2016. Mr. Garcia signed a drug use admission form documenting the use and submitted to a urinalysis sample this date, the results of which were consistent with the reported illicit use and Mr. Garcia's current prescription for Hydrocodone.

Prob12C

Re: Garcia, Mario

May 10, 2016

Page 2

2

**Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** On April 28, 2016, the undersigned officer placed a call to Mr. Garcia in which he indicated that he was no longer living at his previous address and was now homeless. Mr. Garcia indicated that he had a potential address for residency, but stated that he needed to further investigate the prospect, namely, he needed to speak with the owner of the residence, who was currently working. The undersigned officer directed Mr. Garcia to provide the address where he would be staying tonight to the undersigned officer this date, along with identification information for the parties living at the identified residence, and Mr. Garcia agreed to do so. Mr. Garcia then failed to contact the undersigned officer until his report to U.S. Probation on Monday (5/2/2016). When questioned on where he had stayed over the weekend, Mr. Garcia refused to fully identify the sponsor or address, other than to say that his name was "Dave", indicating that the sponsor did not want law enforcement at his residence.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 10, 2016

s/ Chris Heinen

Chris Heinen  
U.S. Probation Officer

---

## THE COURT ORDERS

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other

  
 Signature of Judicial Officer

5/10/16  
 Date